

REMARKS/ARGUMENTS

Initially, the Applicant would like to thank the Examiner for discussing the present application with the Applicant's representative during the telephone interview conducted on November 23, 2004. Also, the Applicant would like to thank the Examiner for the early indication of allowable subject matter, holding that claims 3-8 and 14-19 are rejected but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The remaining claims, that is, claims 1, 2, 9-11, 12, 13, 20-22 and 23-28 stand rejected.

The present invention is concerned with removing moisture or condensation from an airstream exiting an oven cavity of a cooking appliance. It has been found in the past that condensation forms when hot air exits an oven cavity and begins to cool. The condensation gathers in lower regions of the appliance and may often reach control circuitry resulting in shorts and/or other damage. Toward that end, the present invention incorporates a diverter member which guides a first airstream, originating in the oven cavity, into a second airstream, circulating outside the oven cavity, prior to an exhaust portion of the appliance. In this manner, heat developed in the second airstream reduces and/or substantially eliminates any moisture present in the first airstream. Also, by combining the airstream prior to leaving the cooking appliance, there is not sufficient time for the airstream to cool allowing moisture to form.

The Examiner relies upon Nagafusa et al. to teach a cooking appliance having a diverter member which guides a first airstream into a second airstream prior to an exhaust portion. Actually, the Nagafusa et al. reference teaches an oven cavity wall having openings formed therein which allow an airstream exiting the oven cavity to mix with an airstream directed around the oven cavity at a point substantially distant from an exhaust portion of the appliance. By mixing the airstreams remote from the exhaust portion, the combined airstream has the opportunity to cool, allowing condensation to form and collect in regions of the cooking appliance. In this manner, the Nagafusa et al. arrangement does not at all address the invention sought to be patented.

After discussing the present invention and the prior art during the interview, the Examiner agreed that mixing two airstreams approximately at an exhaust portion of the appliance is not taught in the prior art references cited in the Office Action. Thus, amending the independent claims to more clearly locate where mixing occurs would patentably define the present invention over the prior art. Toward that end, while the Nagafusa et al. reference is not seen to include a diverter member analogous to that set forth in the claims of the present application, in order to further prosecution, the Applicant has amended claims 1, 12 and 23 to indicate that the diverter member guides the second airstream to mix with the first airstream "approximately at the exhaust portion." As this specific language was discussed with the Examiner and viewed favorably, it is submitted that claims 1, 2 and 9-28 should be in clear condition for allowance. As for claims 3-8, claim 3 has been placed in independent form. As this claim was indicated to contain allowable subject matter, claims 3-8 should also be in clear condition for allowance.

In view of the agreements reached in the interview conducted in this case, as well as the above remarks and amendments to the claims, it is respectfully submitted that the invention is patentably defined over the prior art of record such that allowance of all the claims and passage of the application to issue are respectfully requested. If the Examiner should have any additional concerns regarding the allowance of this application, he is cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution of the application.

Respectfully submitted,



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